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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,171	02/02/2001	Sasa Buvac	S00-171	2207

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JEANEAH PAIK  
in care of Williams C. Paik  
14836 SATANAS ST.  
SAN DIEGO, CA 92129-1527

EXAMINER

HUYNH, CONG LAC T

ART UNIT PAPER NUMBER

2178

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/776,171

Applicant(s)

BUVAC ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 57 and 58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 57-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: amendment filed 6/29/06 to the application filed on 2/2/01, priority 2/3/00.
2. Claims 1-56, and 59 are canceled.
3. Claims 57-58 are pending in the case. Claim 57 is the independent claim.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 57-58 remain rejected under 35 U.S.C. 102(e) as being anticipated by Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99).

Regarding independent claim 57, Okamoto discloses:

- removing user-selected content from a parent context (**col 7, lines 37-45**: “.. removing the associated source-visual element 70 (figure 5) from the original view ...”; **figures 5-6, 9, 13**: the selected text 70 “History is outdated ... heroin” is removed from the parent page 60)

- creating and automatically naming a new context comprising said user-selected content (**col 1, line 43 to col 2, line 12**: "... (c) *automatically creates new documents on the fly as needed*; ... (e) *automatically titles newly created documents* .. "; **figure 13**: the new context comprising the selected content "History is outdated ... heroin" is created and named "Favorite quotes"; **figure 15C, #318**: "*Create new document*; move selected source object to new document; create hyperlink from HVE to new document; *label new document* with representation of HVE.."; note: HVE stands for hyperlink visual elements)
- inserting a reference to said new context in said parent context, wherein said reference comprises a uniquely identifying function of a name of said new context (**figures 8A-D, col 4, line 36 to col 5, line 36**: inserting the hyperlink feature to the text "Favorite quotes" in the parent sticky6 to make it a hyperlink, where the hyperlink is equivalent to the reference and the hyperlink comprises the name "Favorite quotes" of the sticky 78, which is equivalent to a new context of the claimed invention)
- wherein said reference is inserted in the place of said removed user-selected content, and wherein the method is used for purposes comprising web authoring, hypertext editing, and web logging (**figures 8A-D, col 4, line 36 to col 5, line 36, col 1, lines 43-61**: creating and editing hyperlinked documents shows hypertext editing and web authoring since hypertext documents are used in the web, also since accessing to the web requires logging, web logging is implied).

Regarding claim 58, which is dependent on claim 57, Okamoto discloses:

- said parent context and said new context are selected from the group consisting of files, web pages, windows, frames, buffers, and sticky notes (figure 13), or
- said reference is a hyperlink (figures 8D, 9: the "Favorite quotes" is a hyperlink)

### ***Response to Arguments***

6. Applicant's arguments filed 6/29/06 have been fully considered but they are not persuasive.

Applicants submitted the amendment with the list of withdrawn claims and canceled claims. The status identifier "withdrawn" for a number of claims in the list is not proper since this case is in a normal process. It is not in response to a restriction requirement where Applicants have to elect a group of claims to be examined and the rest of the claims is identified "withdrawn" since these claims are withdrawn from consideration. The status identifier "withdrawn" is applied only on the restriction and election process. Therefore, any claims during the normal process, if Applicants do not want them to be considered, must be identified "canceled." Claims 1-56, and 59, thus, are considered canceled. It is required that Applicants indicate the proper identifiers in the next response.

Applicants argue that "Applicant's sole required user input, called "marked text" (MT), is all that is necessary for a functional hyperlink to be created according to the method of claim 57" is different from Okamoto.

In response, it is noted that the argued feature said by Applicants is *not clearly recited in claim 57*.

Okamoto, as long as does disclose "removing...parent context", "creating ...content", and "inserting .. weblogging" (see the rejection above), Okamoto *discloses the claimed invention*.

Applicants argument regarding "reduced number of required user inputs is itself a novel physical feature which clearly distinguished the claimed invention over Okamoto" is not persuasive. Again, the argued feature is *not the claimed invention in claim 57*.

### **Conclusion**

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

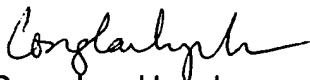
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Guck (US 5,991,776), Ferrel et al. (US 6,230,173), Nakayama et al. (US 6,622,139).  
Hsu et al. (US 2001/0049698), Jelbert (US 2002/0059334).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Cong-Lac Huynh  
Primary Examiner  
Art Unit 2178  
07/24/06